

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE DEPARTMENT OF HUMAN RIGHTS

Frances White,

Charging Party,

**ORDER DISMISSING  
COMPLAINT**

v.

Northwest Airlines,

Respondent.

The above-entitled matter came before Administrative Law Judge Steve M. Mihalchick on the Respondent's Motion to Dismiss for Failure to Prosecute. A hearing was held on that motion on July 14, 2000, at 1:30 p.m. at the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, Minnesota. The record remained open until August 7, 2000 for receipt of post-hearing briefs. Respondent's counsel informed the Administrative Law Judge that this matter had been settled.

Richard A. Williams, Jr., Hvass, Weisman & King, Suite 450, 100 South Fifth Street, Minneapolis, Minnesota 55402, appeared on behalf of the Charging Party. Barbara Jean D'Aquila, Cosgrove, Flynn & Gaskins, 2900 Metropolitan Centre, 333 South Seventh Street, Minneapolis, Minnesota 55402, appeared on behalf of the Respondent, Northwest Airlines.

Based upon the arguments of counsel, all of the filings in this case, and for the reasons set forth in the accompanying Memorandum:

IT IS HEREBY ORDERED:

1. That this matter is DISMISSED WITH PREJUDICE.
2. This Order constitutes the final decision in this case and is effective immediately.

Dated this 19th day of September 2000.

/s/ Steve M. Mihalchick  
STEVE M. MIHALCHICK  
Administrative Law Judge

## **NOTICE**

Under Minn. Stat. § 363.01, subd. 2, this Order constitutes the final decision in this case. Under Minn. Stat. § 363.072, any person aggrieved by this decision may seek judicial review pursuant to Minn. Stat. §§ 14.63 through 14.69.

## **MEMORANDUM**

The Charge of Discrimination in this matter under the Minnesota Human Rights Act., Minn. Stat. § 363.01, *et seq.*, was filed by the Charging Party with the Department of Human Rights on January 26, 1995. This matter was referred to the Office of Administrative Hearings without a determination by the Department of Human Rights on December 13, 1995. The Chief Administrative Law Judge issued the Notice and Order for Hearing on December 21, 1995.

A Complaint was filed regarding this matter on February 2, 1996. Respondent filed an answer on February 14, 1996. By agreement of the parties, the schedule for discovery was extended, with motions in this matter to conclude no later than November 15, 1996. No motions were filed in this matter under that schedule.

The Administrative Law Judge initiated a telephone conference on June 11, 1997, where counsel for the parties indicated that the matter would be submitted to arbitration and that a stipulation for dismissal would be submitted. The Administrative Law Judge inquired as to the status of this matter on July 7, 1998. No response was received to that letter until September 2, 1998, when Respondent's counsel suggested that a motion to dismiss would be made.

Respondent filed a motion to dismiss on April 21, 2000. A hearing was held on Respondent's motion to dismiss on July 14, 2000. The record in this matter was held open to August 7, 2000 for submission of post-hearing briefs. At the close of the briefing period, the Administrative Law Judge was informed that the parties had settled the matter. With the parties' settlement of the matter, dismissal of the Complaint with prejudice is appropriate.

S.M.M.